

IFW #



JUL 16 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/783,848	02/20/2004	De Brabander Jef	AP35699 090495.0282

CONFIRMATION NO. 7487

FORMALITIES LETTER



OC000000012702323

21003
 BAKER & BOTTS
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

Date Mailed: 05/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 9, 11-32, 44-51, 60-64.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

07/19/2004 WASFAW1 00000052 10783848

01 FC:2051

65.00 0P

A copy of this notice MUST be returned with the reply.

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box →



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/783,848
Filing Date	Feb. 20, 2004
First Named Inventor	De Brabander
Group Art Unit	1614
Examiner Name	To be determined
Attorney Docket Number	AP35699 090495.0282

Total Number of Pages in This Submission

ENCLOSURES *(check all that apply)*

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment / Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers <i>(for an Application)</i>
<input checked="" type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<p>see below</p> |
|---|---|---|

Remarks



Executed Declaration; Election under 3.71 and 3.73 and Power of Attorney; copy of Notice to File Missing Parts; copy of Assignment and Recordation Form Cover; return receipt postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

BakerBotts LLP
30 Rockefeller Plaza
New York, NY 10112

Signature

Rochelle K. Seide

Att Name: Rochelle K. Seide
PTO Reg: 32,300

Date

July 14, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450; July 14, 2004

Typed or printed name

Rochelle K. Seide

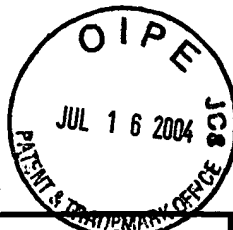
Signature

Rochelle K. Seide

Date

July 14, 2004

BAKER BOTTS LLP



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65

Complete if Known

Application Number	10/783,848
Filing Date	Feb. 20, 2004
First Named Inventor	De Brabander
Examiner Name	To be determined
Art Unit	1614
Attorney Docket No.	AP35699 090495.0282

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - 20 = X = Fee Paid

Independent Claims - 3 = X = Fee Paid

Multiple Dependent = Fee Paid

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65)

SUBMITTED BY

Name (Print/Type)

Rochelle K. Seide

Registration No.
(Attorney/Agent)

32,300

(Complete if applicable)

Telephone 212.408.2500

Signature

Rochelle K. Seide

Date

July 14, 2004

BAKER BOTTS



Attorney Docket Number: AP35699 090495.0282

Title: SYNTHESIS OF PELORUSIDE A AND ANALOGS THEREOF FOR USE AS ANTITUMOR AGENTS

Use Space Below for Additional Information:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DeBrabander et al.

Application No.: 10/783,848

Examiner: To be assigned

Filed: February 20, 2004

Art Unit: 1614

For: SYNTHESIS OF PELORUSIDE A AND ANALOGS THEREOF FOR USE AS
ANTITUMOR AGENTS

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

I hereby certify that this paper is being deposited with the United States
Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

July 14, 2004

Date of Deposit

Rochelle K. Seide

Attorney Name

Rochelle K. Seide
Signature

32,300

Registration No.

July 14, 2004

Date of Signature

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Mail Stop Missing Parts

Sir:

This paper is submitted in response to the Notice to File Missing Parts of Nonprovisional
Application ("Notice") issued in the above-identified application on May 18, 2004.

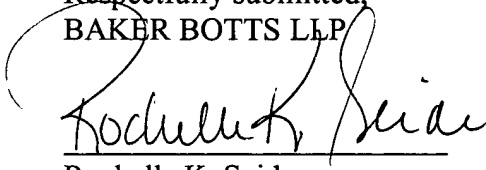
Applicants submit herewith a Declaration in compliance with 37 C.F.R. § 1.63. A copy
of the Notice is also enclosed.

Applicants also submit herewith an Election Under 37 C.F.R. §§ 3.71 and 3.73 and Power of Attorney, accompanied by a copy of the Assignment document and the Recordation Form Cover submitted concurrently.

Applicants also submit a complete set comprising 97 sheets of replacement drawings. The lines and text of Figures 9, 11-32, 44-51 and 60-64 have been darkened and/or enlarged. Please replace the originally filed drawings with the 97 sheets submitted herewith. Applicants submit that no new matter has been introduced by the changes made to the drawings.

Applicants also enclose the fee required for late filing of a Declaration pursuant to 37 C.F.R. § 1.16(e). If any additional fee is due, or if any overpayment has been made, in connection with the filing of this response, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377. A duplicate copy of this paper is enclosed.

Respectfully submitted,
BAKER BOTTS LLP



Rochelle K. Seide
Patent Office Reg. No. 32,300
Attorney for Applicant

Dana Lau
Patent Office Reg. No. 55,361
Agent for Applicant

30 Rockefeller Plaza
New York, NY 10112-4498
(212)-408-2500